

**NUNCPRO TUNE****MAY 12 2008****FILED****08 MAY 15 AM 9:01**

1 John C. Otten  
 2 P.O. Box 100  
 3 Imperial Beach Ca 91932-1016

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**UNITED STATES DISTRICT COURT****SOUTHERN DISTRICT OF CALIFORNIA**

DEPUTY

Case# 08CV0254 JM( JMA)

JOHN C. OTTEN

Plaintiff

Defendants

v.

HOME COMING FINANCIAL  
 MORTGAGE ; NAVY FERDERAL CREDIT  
 UNION, WORLD SAVING )  
 Defendant,

- ) Class Member JOHN C. OTTEN  
 Hereby Gives
- ) Caveat Notice Voluntary  
 Dismissal and Abatement of case
- ) 08CV0254 JM( JMA) due to the
- ) **Affirmative Fact , I has a  
 Bankruptcy currently filed and  
 I'm a party to**
- ) **class Action Settlement against**
- ) All Predatory Lenders ,
- ) 28 U.S.C. § 2101(f).

**ALL Party has been Currently Serve!**

Notice to All Party and Parties in Interest, Please take  
 Notice by Caveat of Bankruptcy / Chapter 13 currently filed and  
 I a class member in a Class Action lawsuit against Predatory  
 Investor lenders names Fictitious defendants listed in above,  
 Wherefore due to the abandonment of the CEO/ President of HOME  
 COMING FINANCIAL MORTGAGE; NAVY FERDERAL CREDIT UNION, WORLD  
 SAVING, Willfully failed to Rebuttal Notice/ Certificate of

CAVEAT NOTICE OF JOINDER OF Claims 08CV0254 JM( JMA) to  
 Class Action Predatory Investor lender lawsuit listed in above is dismiss without  
 Prejudice 28 U.S.C. § 2101(f).

1 Protest by a Notary Public & Challenge pursuant to the  
2 freedom of Information Act , give disclosure by each Predatory  
3 lenders under their full commercial liability and under the  
4 penalty of perjury was lawful money loan the Plaintiff pursuant  
5 to article 1 section 10 or was it a Investment loan , check  
6 book entry on the Note , letter or credit that was loan, and  
7 Notice or Error on the loan and the International Creditor  
8 failure to provide a cure by adjusted the account/ and Remedy/  
9 Creditor Forfeitures, USC Section 1666 (a)-(e).

10 The Plaintiff John Otten , further Affirm and Attest due  
11 the Misrepresentations and Willful failure to give full  
12 disclosure of Tort Malfeasants Fraudulent Predatory Lenders of  
13 said loans and further caveat notice Abatement /Dismissal  
14 without Prejudice of this Instant Matter cases number 08CV0254  
15 JM( JMA)and Acceptance for value for Value of third Party claim  
16 for the Total amount of Fraudulent Predatory loan Per HJR-192,  
17 , the class Plaintiff Reserved All Right to relief under class  
18 settlement , According to class action fairness Act and H. R.  
19 2341 / Rule 23 AND A Article 3 court Review over the delegation  
20 of power by the constitution to congress to establish concurrent  
21 federal extra territory reach outside the District of Columbia,  
22 Waiver None Ever to Dismissal without Prejudice of this  
23 Complaint Number 08CV0254 JM( JMA) Waiver none ever **verse**  
24 Joinder of this claims to class Actions Suit, I John Otten  
25 class Member further Declare and attest that I have reason to  
26 believe that Relief can not be granted by this Court or  
27 Administrative Judicial Officer of the Court Under the Contract

28 CAVEAT NOTICE OF JOINDER OF Claims 08CV0254 JM( JMA) to  
Class Action Predatory Investor lender lawsuit listed in above is dismiss without  
Prejudice 28 U.S.C. § 2101(f).

1 of Affreightment of the Gold Fringe Flags of War, I further  
2 Reserved the Rights of Emergency Need from these Predatory  
3 Lender and become a class member settlement for I have Exhausted  
4 any and all Administrative Remedies under Article 2 court  
5 proceeding, outside of Final Remedy to Appeal / Retrial in the  
6 International Court according to International Protocol of the  
7 United Nations pursuant to:  
8 the Rome Conventions, and Subpoena both parties the third  
9 parties Malfeasant Attorney non license from the Secretary of  
10 state of California to Practice law / Defendants and the CEO in  
11 behalf of the Defendant for human Right violations of the  
12 universal Declaration of Human Right , and the United Nation  
13 Resolutions# 26 Universal Bill of Rights and UN Resolutions# 47  
14 ,Etc.

15 April 30, 2008

16 Henceforth Submitted

John OTTEN

17 —  
18 John C. Otten  
UCC 1-207.7 Without Prejudice

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28 CAVEAT NOTICE OF JOINDER OF Claims 08CV0254 JM( JMA) to  
Class Action Predatory Investor lender lawsuit listed in above is dismiss without  
Prejudice 28 U.S.C. § 2101(f).

Attachment A

## B1 (Official Form 1) (12/07)

United States Bankruptcy Court SOUTHERN DISTRICT OF CALIFORNIA																																																																																					
Name of Debtor (If individual, enter Last, First, Middle): <b>JOHN C. OTTER</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):																																																																																			
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):																																																																																			
Last four digits of Social-Security/Complete EIN or other Tax-ID No. (if more than one, state all): <b>5044</b>		Last four digits of Social-Security/Complete EIN or other Tax-ID No. (if more than one, state all):																																																																																			
Street Address of Debtor (No. and Street, City, and State): <b>2689 DALASAY ST.</b> <b>SAN DIEGO, CA 92154</b>		Street Address of Joint Debtor (No. and Street, City, and State):																																																																																			
		<b>ZIP CODE</b>																																																																																			
County of Residence or of the Principal Place of Business:		County of Residence or of the Principal Place of Business:																																																																																			
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):																																																																																			
		<b>ZIP CODE</b>																																																																																			
Location of Principal Assets of Business Debtor (if different from street address above):		<b>ZIP CODE</b>																																																																																			
<b>Type of Debtor</b> (Form of Organization) (Check one box)	<b>Nature of Business</b> (Check one box.)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other		<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box.)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input checked="" type="checkbox"/> Chapter 13  <b>Name of Debts</b> (Check one box.)  <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.																																																																																		
				Tax-Exempt Entity (Check box, if applicable.)  <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).																																																																																	
<b>Filing Fee</b> (Check one box.)  <input type="checkbox"/> Full Filing Fee attached. <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Chapter 11 Debtors</b>  Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).																																																																																			
<b>Statistical/Administrative Information</b>		<b>THIS SPACE IS FOR COURT USE ONLY</b>																																																																																			
<input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.																																																																																					
<b>Estimated Number of Creditors</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">1-49</td> <td style="width: 10%;"><input type="checkbox"/></td> </tr> <tr> <td>50-99</td> <td><input type="checkbox"/></td> <td>100-199</td> <td><input type="checkbox"/></td> <td>200-999</td> <td><input type="checkbox"/></td> <td>1,000-5,000</td> <td><input type="checkbox"/></td> <td>5,001-10,000</td> <td><input type="checkbox"/></td> <td>10,001-25,000</td> <td><input type="checkbox"/></td> <td>25,001-50,000</td> <td><input type="checkbox"/></td> </tr> </table>		1-49	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50-99	<input type="checkbox"/>	100-199	<input type="checkbox"/>	200-999	<input type="checkbox"/>	1,000-5,000	<input type="checkbox"/>	5,001-10,000	<input type="checkbox"/>	10,001-25,000	<input type="checkbox"/>	25,001-50,000	<input type="checkbox"/>	Case #: 08-01509-LA1211 Debtor: JOHN C. OTTER Manner: LOUDOUN, VA Petition Date: 05/15/2008 Time: 09:00 AM Status: Pending Chapter: 13 Amount: \$127.00  <b>Estimated Assets</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">\$0 to \$50,000</td> <td style="width: 10%;"><input type="checkbox"/></td> </tr> <tr> <td>\$50,001 to \$100,000</td> <td><input type="checkbox"/></td> <td>\$100,001 to \$500,000</td> <td><input type="checkbox"/></td> <td>\$500,001 to \$1 million</td> <td><input type="checkbox"/></td> <td>\$1,000,001 to \$10 million</td> <td><input type="checkbox"/></td> <td>\$10,000,001 to \$50 million</td> <td><input type="checkbox"/></td> <td>\$50,000,001 to \$100 million</td> <td><input type="checkbox"/></td> <td>\$100,000,001 to \$500 million</td> <td><input type="checkbox"/></td> </tr> </table> <b>Estimated Liabilities</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">\$0 to \$50,000</td> <td style="width: 10%;"><input type="checkbox"/></td> </tr> <tr> <td>\$50,001 to \$100,000</td> <td><input type="checkbox"/></td> <td>\$100,001 to \$500,000</td> <td><input type="checkbox"/></td> <td>\$500,001 to \$1 million</td> <td><input type="checkbox"/></td> <td>\$1,000,001 to \$10 million</td> <td><input type="checkbox"/></td> <td>\$10,000,001 to \$50 million</td> <td><input type="checkbox"/></td> <td>\$50,000,001 to \$100 million</td> <td><input type="checkbox"/></td> <td>\$100,000,001 to \$500 million</td> <td><input type="checkbox"/></td> </tr> </table>		\$0 to \$50,000	<input type="checkbox"/>	\$50,001 to \$100,000	<input type="checkbox"/>	\$100,001 to \$500,000	<input type="checkbox"/>	\$500,001 to \$1 million	<input type="checkbox"/>	\$1,000,001 to \$10 million	<input type="checkbox"/>	\$10,000,001 to \$50 million	<input type="checkbox"/>	\$50,000,001 to \$100 million	<input type="checkbox"/>	\$100,000,001 to \$500 million	<input type="checkbox"/>	\$0 to \$50,000	<input type="checkbox"/>	\$50,001 to \$100,000	<input type="checkbox"/>	\$100,001 to \$500,000	<input type="checkbox"/>	\$500,001 to \$1 million	<input type="checkbox"/>	\$1,000,001 to \$10 million	<input type="checkbox"/>	\$10,000,001 to \$50 million	<input type="checkbox"/>	\$50,000,001 to \$100 million	<input type="checkbox"/>	\$100,000,001 to \$500 million	<input type="checkbox"/>																						
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